



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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July 25, 2007

**VIA HAND DELIVERY**

The Honorable Deborah A. Batts  
 United States District Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

Re: Rivera et al. v. The City of New York et al.  
 07 Civ. 5999 (DAB)

Dear Judge Batts:

I am the Senior Counsel with the Office of the Corporation Counsel assigned to the defense in the above-referenced matter in which plaintiffs allege that they were falsely arrested, maliciously prosecuted, and their premises unlawfully searched. Defendant City of New York respectfully requests that its time to respond to the complaint be extended for sixty days from the current due date of July 30, 2007 until September 28, 2007. I have spoken with plaintiff's counsel and plaintiffs consent to this request. No previous request for an extension has been made by defendant. DAB?  
GRANTE  
July 26, 2007

There are several reasons for seeking an enlargement of time. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, defendant City needs this additional time to investigate the allegations of the complaint. It is our understanding that the records of the underlying criminal actions, including police records, may have been sealed pursuant to New York Criminal Procedure Law § 160.50. Therefore, this office is in the process of forwarding to plaintiffs for execution consents and authorizations for the release of sealed records so that the defendant can access the information, properly assess the case, and respond to the complaint. Additionally, because all six plaintiffs have alleged physical and psychological injuries as a result of the events complained of, this office is in the process of forwarding to them for execution consents and authorizations for the release of medical records, at this point limited to the incident, again so that the defendant can access the information, properly assess the case, and respond to the complaint.

**SO ORDERED**

*Deborah A. Batts*

DEBORAH A. BATTS  
 UNITED STATES DISTRICT JUDGE

MEMO ENDORSED

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Accordingly, we respectfully request that defendant City's time to answer or otherwise respond to the complaint be extended to September 28, 2007.

Thank you for your consideration in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hillary Frommer", with a horizontal line extending to the right.

Hillary A. Frommer (HF 9286)  
Senior Counsel

cc: Peter R. Shipman, Esq. (via facsimile)